

**MINUTES OF THE FRANKLIN SELECTBOARD
TUESDAY, OCTOBER 8, 2013 @ 7:00
TOWN CLERK'S OFFICE**

Members Present: Peter Magnant, Yvon Dandurand, Andrew Godin, Wayne Laroche, Kyle Lothian, Lisa Larivee, Town Clerk

Guests: Lynn & Cody Paradis, Nancy & Les Johnson, James Mullen, Carolyn Rhodes, John Giroux, Robert Baron, Ted & Peggy Meunier, Robert & Nancy Mongeur, Fredda Ploof, Laura Hale, Jay Shepard, David & Diane Larose, Kevin Lothian, Polly Gadbois, Aaron Porter, Tiffany Renaudette, Dan Larivee, Gilbert Dewing, James Dewing, John McHugh, Megan Ruprecht.

Peter Magnant called the meeting to order at 7:00 p.m. The Pledge of allegiance was said. Peter thanked everyone for coming

Public Comments:

- Cody Paradis advised the board that his Eagle Scout project of installing a lighted flag pole in front of our building was complete. He also presented the board with a flag that was flown over Iraq and a plaque describing the mission. Peter signed off on completion of the project.
- Nancy & Les Johnson are recent camp buyers in Blackwoods and were here to discuss a certificate of occupancy (c/o) of the septic system in which a design was approved by the selectboard in 1987 but the approved system apparently was not installed as designed. There are no documents in the town files certifying the installation of the system. The Johnson's requested a change of use to year-round and it was denied due to a failed system. Wayne states the State of VT has the jurisdiction over septics now and they must approve them. Mrs. Johnson states the cost to upgrade is significant and without Town documents there is difficulty to go back on the seller. There are no reports to the Town over a failed system. The board advises there is nothing the Town can do for them; they have no knowledge of the system as it is so old. Les requests a statement from the Town of the failure; what was the rule at that time for c/o to live on a property. The Town does not issue c/os. Peter Kittell has knowledge of the system and its failures and they may need to talk with him for information. Mr. & Mrs. Johnson were thanked and exited the meeting.

Camp Road owners: Members were welcomed to the meeting to discuss the camp roads and the maintenance of them by the Town. Peter reviewed a brief history; camp roads had been graded and some gravel being put on without the board knowing what was going on. The Selectboard is concerned that LCCA has been going to the highway crew for whatever work was needed to be done without authorization of the Selectboard. In August this was discussed at a board meeting and a meeting was later had with the campers for further review-the boards concern is the liability to the town and legal issues with doing this work on private roads. The Town has spoken with VLCT and been given legal points of interest; the municipality is competing with individual industries whom do this kind of work; municipality is liable as we are working on private lands and are not covered by insurance; have no jurisdiction of working on private roads as we do not own them. Gilbert Dewing asks if the Town has gotten complaints from campers for doing work. Peter commented that we have received several complaints about the camp roads conditions; informed them that these are private roads. Mr. Dewing is furious that the board is not giving any services to the campers with what they pay for taxes. Wayne states maybe the town could contract with an outside group to do the work with tax dollars. If the town were to pay for the work without doing it that may be an option. Kyle would like to see the minor work continue to be done; the board's job is to protect the liability of the Town. The board is looking to work something out that will protect everyone. Ted states this has been going on for years; getting 2 grades and some gravel is not much. Jim Mullen states the roads are private and he wants to keep his road quaint. There is much cost to upgrade a class IV road to class III. He wants to keep the road quiet and safe for campers and not to get commercialized. Ted states they are 30 ft. ROW not roads. Wayne states the board wants to make it work for everyone and is open to suggestions of what to do for the liability coverage. Wayne questions if the camp owners could contract for their own work; the town could have a budget for the payment of the work to be done; LCCA could have insurance to cover the work being done. Land owners are willing to sign waivers for removal of liability. Land owners would consider easements to the town to do the work. Nancy Mongeur requests a line item be included in the budget at town meeting to be clear of the costs for camp road maintenance. Bob Baron states there was a Town meeting vote in 1979; why is this board saying they did not know about the work. Mr. Baron quotes from the VT Secretary of State "if a town maintains a private road the town may have acquired those roads". Yvon questions what is the definition of "maintenance"?

no winter work is done. David Larose thanked Howard for representing the town and that he believes this board is acting in good faith to solve the problem with the campers and not just walking away from it. He is part of a community and contributes to town events and functions. Understands the need to be careful to have the proper policies and coverage; everyone needs to be treated equally with the same standards. The board will try to do a better job to communicate meeting notices, however issues will always come up at board meetings that had not been anticipated. Diane Larose states property values will be impacted by not having access especially for fire & rescue. Peter thanked everyone for coming and sharing their thoughts.

Highway Foreman: Howard reported that gravel is done being applied and grading has been completed. Clean up and maintenance around the shop continues. Ron and Howard to aid with the installing of the sand shed tarp on Wednesday. Howard has spoken with Roger Wright about supplying sand for the Town at \$3.50/yd. The current sand pile will be moved into the shed; some new sand will be put on the floor to prevent salt from being on the floor. Howard & Ron will be going to a class in St. Albans regarding salt brine and application on Oct 18th.

Rescue services: Polly was here to discuss the contract with Enosburg Ambulance Service (EAS) with the board. She commented on the camp road issue. If the owners grant easements based on density of houses and to maintain as is to date, that should make everyone happy. Dewing farm equipment is damaging the roads.

The board questions the EAS contract - why have a contract? Do we need one? What do we gain? Polly stated it is a tool for EAS and the Town of Enosburg to budget for the next three years and know what to expect for income. For Franklin it is set what the rate/cost of coverage will be for the next three year; it is a guarantee of getting coverage with a service. Peter proposes a 1% increase for the next budget year from Jan 2014 thru July 2015; 1% increase for July 2015 thru June 2016; 1% increase for July 2016 thru June 2017. Polly will adjust the contract and speak with Dean at EAS about our proposal; she will forward a copy to the board for approval. Thanked Polly for coming and she exited.

Dewing Bridge Bid opening: The board discussed a justification sheet check list for ranking the bids. Wayne will put something together for the board to review; the board will meet on Thursday, Oct 10 at 6:00 pm to review the bids further and award the bid. The bids were opened and read aloud. Blow and Cote Inc. total bid of \$235,244.90; Munson Earth Moving Corp. total bid of \$230,313.00. Adjacent property owners to the bridge have put stone near the lake waters on the shore where construction will take place.

Minutes: Sept 10 and Sept 18 minutes read for approval. Minor wording changes made to clarify. Kyle/Yvon made a motion to accept as read; all members voted in favor, motion passed.

Reviewed and signed bills: board reviewed and signed

Town Clerk Concerns:

- **Town hall roof:** Eric Gerard has inspected the roof and the leaking that was noticed. The roof structure is very bad and spongy. Eric is concerned that there are bigger issues than what can be seen from the outside. Eric will be asked to look deeper into the issues and give the board a quote. Lisa will look into available grants for roof replacement.
- **Street lights:** Lisa has spoken with Paul Markowitz at Efficiency VT; he is still working on the project. We should have prices before budget time.
- **Health Insurance:** the board reviewed the options for health insurance for the employees through VT Health Exchange. Peter/Wayne made the motion for the Town to fund the silver standard plan. All members voted in favor. Peter/Yvon made the motion to fund the HRA with a 50% contribution of the deductible for each employee. All members voted in favor.
- **Property Insurance:** Board reviewed the property insurance renewal policy with the Town Clerk. All approved the policy items as is.

Old Business:

- **Grissom dog:** The fees have still not been paid. Dennis is to pick-up the dog on Wednesday morning until all demands of the board are taken care of.
- **Sand Shed:** Lisa discussed with the board the borrowing of funds for the sand shed project per the article. \$23,500 was raised this year for the first payment of the funds. The board would like to wait until the end of the year to see what carry over there may be in the budget to determine what balance needs to be borrowed.
- **Speed Limit Lake Rd:** Peter has spoken with Jim Cota at VTrans about reducing the speed from Riley Rd to Mill Pond Campground. Jim advised it cannot be reduced by

more than 15 miles per hour; the State would not recommend reducing as this is a seasonal area. No change will be made at this time but can be looked into further.

- **Intersection Main St/Rte. 120:** The VTrans engineer has been to view the intersection and done a plan of reconstruction. The work and cost to change the intersection will be borne by the town; will review to determine what the cost will be for the 2014 budget.
- **Crosswalk on Main St:** Peter has spoken with Bethany at NWRP about the denial from State VTrans. She will do a letter of support on behalf of the town and see if we can get it approved.
- **Executive Session on Chloride Lawsuit:** Peter/Wayne made a motion to enter executive session at 9:40 pm, all members voted in favor. Board discussed the lawsuit regarding the accident due to the chloride spill. Peter/Yvon made a motion to exit executive session at 9:50 pm, all members voted in favor.

New Business:

- **Cargill Salt Contract:** Board reviewed to Cargill Salt contract for the upcoming season. Yvon/Peter made a motion to accept the Cargill Salt contract for \$63.28 per ton delivered to the town. All members voted in favor, motion passed. Peter signed contract.
- **Dog Complaint:** Complaint from Mr. Welker regarding the dogs at Mike Messier's on Webster Rd. A ticket violation of the dog ordinance has been sent and the Town Clerk has spoken with Mrs. Messier about keeping the dogs tied up. She was making every effort to do so.

Selectboard folder: folder reviewed

Member Concerns: Yvon would like the board to do a letter to the Highgate Selectboard regarding moving problem dogs into Franklin. He feels each town should deal with their own problem dogs within their community. Yvon will draft a letter for the boards review.

Camp Roads: The board would like to look into the option of easements and get a legal opinion regarding such. If the town was to desire to provide the camp owners maintenance on the private roads could an easement be written to protect the town of liability to assist with work? to absolve the town of liability while maintaining and working on the roads? The board will need to consider a proposed article/language for town meeting.

Wayne/Yvon made a motion to adjourn the meeting. All members voted in favor, motion passed. Meeting adjourned at 10:20 p.m.

Respectfully Submitted,
Lisa Larivee, Town Clerk
October 11, 2013

These minutes are not official until approved at the Select board's next regular meeting. Approved by Selectboard on November 12, 2013.